

**UNITED STATES BANKRUPTCY COURT
Eastern District of California**

Honorable Christopher D. Jaime
Robert T. Matsui U.S. Courthouse
501 I Street, Sixth Floor
Sacramento, California

PRE-HEARING DISPOSITIONS COVER SHEET

DAY: TUESDAY

DATE: April 29, 2025

CALENDAR: 1:00 P.M. CHAPTER 13

Each matter on this calendar will have one of three possible designations: No Ruling, Tentative Ruling, or Final Ruling. These instructions apply to those designations.

No Ruling: All parties will need to appear at the hearing unless otherwise ordered.

Tentative Ruling: If a matter has been designated as a tentative ruling it will be called. The court may continue the hearing on the matter, set a briefing schedule, or enter other orders appropriate for efficient and proper resolution of the matter. The original moving or objecting party shall give notice of the continued hearing date and the deadlines. The minutes of the hearing will be the court's findings and conclusions.

Final Ruling: Unless otherwise ordered, there will be no hearing on these matters and no appearance is necessary. The final disposition of the matter is set forth in the ruling and it will appear in the minutes. The final ruling may or may not finally adjudicate the matter. If it is finally adjudicated, the minutes constitute the court's findings and conclusions.

Orders: Unless the court specifies in the tentative or final ruling that it will issue an order, the prevailing party shall lodge an order within seven (7) days of the final hearing on the matter.

UNITED STATES BANKRUPTCY COURT

Eastern District of California

Honorable Christopher D. Jaime
Bankruptcy Judge
Sacramento, California

April 29, 2025 at 1:00 p.m.

1. [24-21500](#)-B-13 NATASHA JACKSON MOTION TO DISMISS CASE
[LGT](#)-1 Jennifer B. Reichhoff 3-25-25 [[130](#)]

Final Ruling

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to deny without prejudice the motion to dismiss case.

The Chapter 13 Trustee moves to dismiss this case on grounds that Debtor has caused unreasonable delay that is prejudicial to creditors pursuant to 11 U.S.C. § 1307(c)(1). Debtor filed three motions to value collateral for a 2021 Kia K5, but each was ultimately denied. Since this case was filed on April 11, 2024, no plan has been confirmed, thereby causing prejudicial delay to creditors.

Although Debtor did not file a response as of April 25, 2025, Debtor did file a fourth motion to value collateral and an amended plan on April 14, 2025. The hearing for both is set for May 20, 2025.

Given Debtor's prosecution in this case, cause does not exist to dismiss case at this time. The motion is denied without prejudice.

The motion is ORDERED DENIED WITHOUT PREJUDICE for reasons stated in the minutes.

The court will issue an order.

April 29, 2025 at 1:00 p.m.

2. [19-26702](#)-B-13 LYNN DRIVER MOTION TO DISMISS CASE
 [LGT](#)-1 James P. Mootz 4-1-25 [[26](#)]

Final Ruling

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to grant the motion to dismiss case.

Debtor has failed to complete payments under the plan. 11 U.S.C. § 1307(c)(8). Debtor proposed a 60-month plan. Month 60 was October 2025. The Debtor has paid \$30,988 out of the total claims filed of \$31,850.58. Therefore, the remaining claims, plus trustee compensation that need to be paid pursuant to the plan total \$862.58.

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

The motion is ORDERED GRANTED for reasons stated in the minutes.

The court will issue an order.

3. [24-20702](#)-B-13 CRAIG GILMORE MOTION TO DISMISS CASE
[LGT](#)-3 G. Michael Williams 3-11-25 [[109](#)]

Final Ruling

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to grant the motion to convert case.

First, Debtor failed to confirm a Chapter 13 Plan. 11 U.S.C. § 1307(c). Debtor's failure to fulfill his duties is an unreasonable delay that is prejudicial to creditors. 11 U.S.C. § 1307(c)(1).

Second, Debtor is delinquent \$4,416 as of March 11, 2025. In addition to the delinquency amount, Debtor must also make the monthly plan payment of \$1,104 for each March 25, 2025, and April 25, 2025. 11 U.S.C. § 1307(c)(4).

A review of Debtor's schedules shows that there may be available non-exempt equity for the benefit of unsecured creditors. Therefore, the case will be converted to one under chapter 7.

The motion is ORDERED GRANTED for reasons stated in the minutes.

The court will issue an order.

4. [25-20002](#)-B-13 ABID AJMAL AND AMRA
SHAFQAT
Peter G. Macaluso

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
4-7-25 [[32](#)]

Final Ruling

The Order to Show Cause will be discharged and the case will remain pending but the court will modify the terms of its order permitting the Debtors to pay the filing fee in installments.

The court granted the Debtors permission to pay the filing fee in installments. The Debtors failed to pay the \$78.00 installment when due on April 2, 2025. While the delinquent installment was paid on April 28, 2025, the fact remains that the court was required to issue an order to show cause to compel the payment. Therefore, as a sanction for the late payment, the court will modify its prior order allowing installment payments to provide that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

The order to show cause is ORDERED DISCHARGED for reasons stated in the minutes and the case SHALL REMAIN PENDING.

IT IS FURTHER ORDERED that if a future installment is not received by its due date, the case will be dismissed without further notice or hearing.

The court will issue an order.

5. [24-23014](#)-B-13 SENGPHET/SYPHONG MOTION TO DISMISS CASE
 [LGT](#)-3 PHIMMASENE 3-3-25 [[67](#)]
 Matthew J. DeCaminada

Final Ruling

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Opposition was filed. The court will address the merits of the motion at the hearing.

The court has determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers.

The court's decision is to deny without prejudice the motion to dismiss case.

The Chapter 13 Trustee moves to dismiss this case on grounds that Debtors have caused unreasonable delay that is prejudicial to creditors pursuant to 11 U.S.C. § 1307(c)(1) by failing to confirm a chapter 13 plan.

Debtors filed a response stating that they have filed an amended plan and have set it for hearing on May 20, 2025.

Given the aforementioned, cause does not exist to dismiss the case at this time. The motion is denied without prejudice.

The motion is ORDERED DENIED WITHOUT PREJUDICE for reasons stated in the minutes.

The court will issue an order.

6. [24-25020](#)-B-13 CANDY WALKER CONTINUED MOTION TO DISMISS
 [LGT](#)-2 Peter G. Macaluso CASE
 Thru #7 2-11-25 [[27](#)]

CONTINUED TO 5/27/25 AT 1:00 P.M. AT SACRAMENTO COURTROOM PER REQUEST IN DEBTOR'S STATUS REPORT.

Final Ruling

No appearance that the April 29, 2025, hearing is required. The court will issue an order.

7. [24-25020](#)-B-13 CANDY WALKER CONTINUED MOTION TO CONFIRM
 [PGM](#)-1 Peter G. Macaluso PLAN
 3-10-25 [[33](#)]

CONTINUED TO 5/27/25 AT 1:00 P.M. AT SACRAMENTO COURTROOM PER REQUEST IN DEBTOR'S STATUS REPORT.

Final Ruling

No appearance that the April 29, 2025, hearing is required. The court will issue an order.

8. [24-25024](#)-B-13 MAUREEN SHARMA MOTION TO DISMISS CASE
 [LGT](#)-2 Peter G. Macaluso 3-12-25 [[28](#)]

Final Ruling

The Chapter 13 Trustee has filed a motion to withdraw its pending motion. The motion is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(I) and Federal Rules of Bankruptcy Procedure 9014 and 7041. The matter is removed from the calendar and the case will proceed in this court.

The motion is ORDERED DISMISSED WITHOUT PREJUDICE for reasons stated in the minutes.

The court will issue an order.

9. [25-20344](#)-B-13 EUGENE JONES CONTINUED OBJECTION TO
[LGT-1](#) Pro Se CONFIRMATION OF PLAN BY LILIAN
Thru #10 G. TSANG
3-6-25 [[16](#)]

Final Ruling

Given that the motion to dismiss case is granted at Item #10, LGT-2, the continued objection to confirmation of plan is overruled as moot.

The objection is ORDERED OVERRULED AS MOOT for reasons stated in the minutes.

The court will issue an order.

10. [25-20344](#)-B-13 EUGENE JONES MOTION TO DISMISS CASE
[LGT-2](#) Pro Se 3-7-25 [[19](#)]

Final Ruling

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to grant the motion to dismiss case.

First, Debtor failed to appear and testify at the initial meeting of creditors on March 05, 2025, and the continued meeting of creditors on April 3, 2025. Although the meeting of creditors has again been continued to May 14, 2025, the court finds its unlikely that the Debtor will appear at the third meeting of creditors given Debtor's history of nonappearance. 11 U.S.C. § 341 and/or F.R.B.P. 4002. Debtor's failure to fulfill its duties is an unreasonable delay that is prejudicial to creditors. 11 U.S.C. § 1307(c)(1).

Second, Debtor has failed to provide the Chapter 13 Trustee with required documents including copies of all payment advices or other evidence of payment received within 60 days before the date of filing of the petition, the most recently filed tax return, original valid picture ID, proof of complete social security number, and Class 1 checklist with the most recent mortgage statement.

Third, Debtor failed to accurately file Schedule A/B. 11 U.S.C. § 521 and/or F.R.B.P. 1007.

Fourth, Debtor has failed to commence making plan payments and is delinquent \$6,857 as of March 7, 2025. In addition to the delinquency amount, Debtor must also make the monthly plan payment of \$6,857 for each March 25, 2025, and April 25, 2025. 11 U.S.C. § 1307(c)(4).

Cause exists to dismiss this case. The motion is granted and the case is dismissed.

The motion is ORDERED GRANTED for reasons stated in the minutes.

The court will issue an order.

11. [24-23745](#)-B-13 DENON/LAQUANA MARYLAND MOTION TO DISMISS CASE
[LGT](#)-2 Candace Y. Brooks 3-12-25 [[31](#)]

Final Ruling

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Opposition was filed. The court will address the merits of the motion at the hearing.

The court has determined that oral argument will not assist in the decision-making process or resolution of the motion. See Local Bankr. R. 9014-1(h), 1001-1(f). This matter will therefore be decided on the papers.

The court's decision is to deny without prejudice the motion to dismiss case.

The Chapter 13 Trustee moves to dismiss this case on grounds that Debtors have caused unreasonable delay that is prejudicial to creditors pursuant to 11 U.S.C. § 1307(c)(1) by failing to set a plan for hearing with notice to creditors.

Debtors filed a response stating that they have filed an amended plan, which is set for hearing on May 20, 2025. Debtors also state that they have prepared and provided to the Trustee a Profit & Losses for their business and have been making their plan payments.

Given the aforementioned, cause does not exist to dismiss the case at this time. The motion is denied without prejudice.

The motion is ORDERED DENIED WITHOUT PREJUDICE for reasons stated in the minutes.

The court will issue an order.

12. [25-20050](#)-B-13 STEPHANIE DAVIS
Pro Se

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
3-13-25 [[48](#)]

DEBTOR DISMISSED: 03/27/25

Final Ruling

The case having been dismissed on March 27, 2025, the order to show cause is discharged as moot.

The order to show cause is ORDERED DISCHARGED AS MOOT for reasons stated in the minutes.

The court will issue an order.

13. [25-21059](#)-B-13 JONATHAN GOBERT AND LUIS ORDER TO SHOW CAUSE FOR FAILURE
OTERO TO UPDATE CONTACT INFORMATION
Robert L. Goldstein IN PACER
3-23-25 [[15](#)]

Final Ruling

The Order to Show Cause was issued due to a discrepancy between the email address for Debtors' counsel in PACER and on the petition. Debtors' counsel has failed to correct this discrepancy.

A declaration was filed on April 8, 2025, explaining that the problem has been fixed going forward. Dkt. 18.

The problem, apparently, remains with regard to this case and, specifically, the petition filed in this case which reflects the incorrect email address. To remedy the problem in this case, the clerk's office requires that an amended petition with the correct email address be filed. Debtor's counsel shall do so by **Friday, May 2, 2025.**

The hearing on this order to show cause is continued to **May 6, 2025, at 1:00 p.m.**

If an amended petition is timely filed, the order to show cause will be discharged, no further sanctions will be ordered, and the continued hearing will be removed from calendar.

If an amended petition is not timely filed, this matter will be heard at the continued hearing.

The court will issue an order.

14. [25-21075](#)-B-13 JOSEPH POTPROCKY
Nicholas Wajda

ORDER TO SHOW CAUSE FOR FAILURE
TO UPDATE CONTACT INFORMATION
IN PACER
3-27-25 [[14](#)]

Final Ruling

The Order to Show Cause was issued due to a discrepancy between the email address for Debtor's counsel in PACER and on the petition.

It appears that Debtor's counsel has corrected the problem in this case by filing an amended petition on April 1, 2025, with a changed (and presumably the correct) email address. Docket 16.

Nevertheless, the court is unable to confirm that the problem has been fixed PACER-wide.

The hearing on the order to show cause is continued to **May 6, 2025, at 1:00 p.m.**

By **Friday, May 2, 2025**, Debtor's counsel shall file a declaration attesting to a PACER-wide change that complies with the order to show cause.

If a timely declaration is filed, the order to show cause will be discharged, no further sanctions will be ordered, and the continued hearing will be removed from calendar.

If a timely declaration is not filed, the order to show cause will be heard at the continued hearing.

The court will issue an order.

15. [25-20988](#)-B-13 IAN RENDELL
Peter G. Macaluso

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
4-9-25 [[19](#)]

Final Ruling

The court's decision is to sustain the Order to Show Cause and order the case dismissed.

The Order to Show Cause was issued due to Debtor's failure to pay \$79.00 due April 4, 2025. The court's docket reflects that the default has not been cured.

The order to show cause is ORDERED SUSTAINED for reasons stated in the minutes and the case is DISMISSED.

The court will issue an order.

16. [24-25789](#)-B-13 JULIUS/CHARMAINE MOTION TO DISMISS CASE
[LGT](#)-2 KALEHUAWHEHE 3-12-25 [[24](#)]
Pauldeep Bains

CONTINUED TO 6/24/25 AT 1:00 P.M. AT SACRAMENTO COURTROOM PER ORDER ENTERED 4/22/25.

Final Ruling

No appearance at the April 29, 2025, hearing is required.

17. [24-21893](#)-B-13 LUCINDA/HENRY COLEMAN MOTION TO DISMISS CASE
[LGT](#)-3 Le'Roy Roberson 3-3-25 [[61](#)]

Final Ruling

The motion has been set for hearing on 28-days notice. Local Bankruptcy Rule 9014-1(f)(1). The failure of the respondent and other parties in interest to file written opposition at least 14 days prior to the hearing as required by Local Bankruptcy Rule 9014-1(f)(1)(B) is considered to be the equivalent of a statement of nonopposition. *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). No opposition was filed. The matter will be resolved without oral argument. No appearance at the hearing is required.

The court's decision is to deny without prejudice the motion to dismiss case.

The Chapter 13 Trustee moves to dismiss this case on grounds that Debtors failed to confirm a Chapter 13 plan. 11 U.S.C. § 1307(c). Debtors' failure to fulfill their duties is an unreasonable delay that is prejudicial to creditors. 11 U.S.C. § 1307(c)(1).

Although Debtors did not file a response as of April 25, 2025, Debtors did file a third amended plan on April 15, 2025. The hearing is set for May 27, 2025.

Given Debtors' prosecution in this case, cause does not exist to dismiss case at this time. The motion is denied without prejudice.

The motion is ORDERED DENIED WITHOUT PREJUDICE for reasons stated in the minutes.

The court will issue an order.

18. [25-20602](#)-B-13 TAHIR JAN
[LGT](#)-1 Peter G. Macaluso

CONTINUED OBJECTION TO
CONFIRMATION OF PLAN BY LILIAN
G. TSANG
3-24-25 [[19](#)]

Final Ruling

This matter was continued from April 22, 2025, to allow any party in interest to file a response by 5:00 p.m. Friday, April 25, 2025. Nothing was filed. Therefore, the court's conditional ruling at dkt. 34, sustaining the objection, shall become the court's final decision. The continued hearing on April 29, 2025, at 1:00 p.m. is vacated.

The objection is ORDERED SUSTAINED for reasons stated in the minutes.

The court will issue an order.